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April 17, 1985

Michael Wahoske, Esq.
Dorsey and Whitney
2200 First Bank Place East
Minneapolis, MN 55402

Re: U.S., et al. v. Reilly Tar & Chemical Corp.,
et. al.
Our File No: 3857-011

Dear Mr. Wahoske:

Per your request, please find enclosed a copy of the Stipulation and Order granting the City leave to file its Second Amended Complaint in the above captioned matter. The Stipulation has been signed by Elizabeth Thompson. The originals have been sent to Judge Magnuson for his signature. I have requested the Judge's Calendar Clerk to forward an executed copy of the Order to all parties.

Thank you for your cooperation.

Very truly yours,

James T. Bell
James T. Bell
Legal Assistant

JTB:kjm
cc: All Counsel of Record
4807g

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LANDS DIVISION
POLICY & ENFORCEMENT

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff,

and

STATE OF MINNESOTA, by its
Attorney General Hubert H.
Humphrey, III, its Department
of Health, and its Pollution
Control Agency,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION;
HOUSING AND REDEVELOPMENT AUTHORITY
OF ST. LOUIS PARK; OAK PARK VILLAGE
ASSOCIATES; RUSTIC OAKS CONDOMINIUM,
INC.; and PHILIP'S INVESTMENT CO.,

Defendants,

and

STIPULATION AND ORDER

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant,

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the City of St. Louis Park ("City") and Reilly Tar & Chemical Corporation ("Reilly"), that, although Reilly opposes the motion of the City for leave to file a Second Amended Complaint in Intervention in the above matter, in light of the Court's Order of April 5, 1985 granting the State of Minnesota's motion to amend its Complaint in Intervention, Reilly will not file a formal opposition to the City's motion, and the matter will stand as if the Court granted the motion of the City for leave to file a Second Amended Complaint in Intervention over Reilly's opposition thereto. Reilly reserves all rights it would have if the motion had been granted over its formal opposition thereto.

Dated: 4/12/85

DORSEY & WHITNEY

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Attorneys for Defendant
Reilly Tar & Chemical Corporation

Dated: 4/16/85

POPHAM, HAIK, SCHNOBRICH,
KAUFMAN & DOTY, LTD.

By Elizabeth A. Thompson
Wayne G. Popham
Elizabeth A. Thompson
Thomas C. Mielenhausen
- 2 - 4344 IDS Center
Minneapolis, Minnesota 55402
Attorneys for the City
of St. Louis Park

It is so ordered.

Dated:

Paul A. Magnuson
Judge, United States District Court

